

1
2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON
4 AT SEATTLE

5 DAVID ALLEN WHITE,

6 Plaintiff(s),

7 v.

8 DEPARTMENT OF DEFENSE, et al.,

9 Defendant(s).

NO. C09-607MJP

ORDER OF DISMISSAL

10 The above-entitled Court, having received and reviewed Plaintiff's Complaint for Injunctive
11 Relief Under the Freedom of Information Act and Privacy Act (Dkt. No. 1), enters the following
12 order:

13 IT IS ORDERED that this complaint is DISMISSED with prejudice under Federal Rule of
14 Civil Procedure 12(b)(1) on the grounds that this Court has no subject matter jurisdiction over the
15 allegations of which Plaintiff complains.

16 Plaintiff has filed a complaint seeking to have this Court order the Department of Defense, the
17 Department of Justice, the FBI and the CIA to conduct thorough searches pursuant to Plaintiff's
18 Freedom of Information Act requests on the following topics:


- 19 1. God as "a super-intelligent artificial life form... of extraterrestrial origin" (§ 7);
20 2. Mind control by God which prohibits Plaintiff from doing things and forces Plaintiff to
21 do things (§ 11);
22 3. Time machine "devices that allow a digital message, like an email, to be sent backward
23 in time allowing a person or organization to predict the future..." (§ 12).

24 A federal court may *sua sponte* dismiss a complaint for lack of subject matter jurisdiction
25 pursuant to Federal Rule of Civil Procedure 12(b)(1) when the allegations within the complaint "are so

1 attenuated and unsubstantial as to be absolutely devoid of merit, ... wholly insubstantial, ... obviously
2 frivolous, ... plainly unsubstantial, ... or no longer open to discussion.” Hagans v. Lavine, 415 U.S.
3 528, 536-37 (1974) (internal citations and quotation marks omitted). Plaintiff’s complaint satisfies
4 those criteria, and neither the Court nor counsel for the government will further expend limited
5 resources in addressing it.

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7 The clerk is directed to provide copies of this order to Plaintiff and all counsel of record.

8 Dated: May 12, 2009

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10 
11 Marsha J. Pechman
U.S. District Judge